

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CITIBANK, N.A.,

Plaintiff,

v.

JUAN MARTINEZ,

Defendant.

No. C 12-0403 MMC

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION; REMANDING
ACTION; GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS**

Before the Court is Magistrate Judge Maria-Elena James's Report and Recommendation, filed February 17, 2012,¹ by which said magistrate judge recommends the above-titled removed action be remanded to state court for lack of federal jurisdiction. As defendant Juan Martinez ("Martinez") was served by mail with the Report and Recommendation on February 17, 2012, any objections thereto were required to be filed no later than March 5, 2012. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), (d). To date, no objection has been filed.²

This Court, having read and considered the Report and Recommendation, as well as all other documents constituting the case file, and having considered the matter de novo,

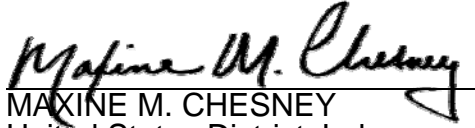
¹ On February 22, 2012, the case was reassigned to the undersigned.

² Also before the Court is Martinez's Application to Proceed in Forma Pauperis, filed January 25, 2012. The Court finds Martinez has shown good cause to proceed in forma pauperis, and accordingly, the Application is hereby GRANTED.

1 hereby ADOPTS the Report and Recommendation in its entirety for the reasons expressed
2 therein, and REMANDS the above-titled action to the California Superior Court in and for
3 the County of Sonoma.

4 **IT IS SO ORDERED.**

5 Dated: March 12, 2012


MAXINE M. CHESNEY
United States District Judge